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6 Attorneys for Plaintiffs  
Bay Area Painters and Tapers  
7 Trust Fund, et al.

8  
9 UNITED STATES DISTRICT COURT  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 BAY AREA PAINTERS AND TAPERS  
12 PENSION FUND, et al.,

13 Plaintiff,

14 v.

15 CRYSTAL NICOLE THOMAS, individually  
16 and dba CALIFORNIA PROFESSIONAL  
17 PAINTING,

18 Defendants,

Case No.: C07-3344 PJH

**REQUEST FOR ISSUANCE OF  
WRIT OF EXECUTION AND  
DECLARATION OF MICHELE R.  
STAFFORD IN SUPPORT THEREOF**

19 TO THE CLERK OF THE COURT:

20  
21 I, Michele R. Stafford, declare under penalty of perjury that:

22 1. I am the attorney for the plaintiffs in the above-entitled action.

23 2. On January 25, 2008, within ten years past, an Amended Judgment Pursuant to  
24 Stipulation (hereinafter "Amended Judgment") \$18,727.20. A true and accurate copy of that  
25 Amended Judgment is attached hereto as *Exhibit A*.

26 3. On January 24, 2008, defendants made a payment of \$1,500.00, of which \$1,392.86  
27 was principal. That payment represented partial payment of defendant's January 2008 Stipulated  
28

1 Payment of \$1,763.00 under paragraph 3 of the Amended Judgment.

2 4. On January 24, 2008, at the time of hand delivering the above-referenced partial  
3 payment of \$1,500.00, Roger Breedy, as representative of California Professional Painting, stated  
4 orally and in writing that the balance would be paid "in one week." Please note that Mr. Breedy's  
5 statement is mistakenly dated "January 25, 2008." A true and accurate copy of Mr. Breedy's  
6 written statement is attached hereto as *Exhibit B*.

7  
8 5. Defendants failed to cure their default and, on February 7, 2008, plaintiffs gave  
9 defendants written notice of default. A true and accurate copy of plaintiffs' notice is attached  
10 hereto as *Exhibit C*. Defendants did not respond and remain in default of the Amended Judgment.

11 6. Pursuant to paragraph 6(b) of the Amended Judgment, plaintiffs hereby request that  
12 the Court issue a Writ of Execution in favor of plaintiffs and against defendants.

13  
14 7. On January 24, 2008, the principal balance remaining due on the Amended  
15 Judgment was \$14,568.34. Twenty-one (21) days have elapsed from January 24, 2008 to  
16 February 15, 2008. Interest at the rate of 7% per annum, in the amount of \$58.67, has accrued on  
17 the Judgment as of February 15, 2008.

18 8. Attorneys fees through December 21, 2007 are included in the Amended Judgment.  
19 Additional attorneys fees in the amount of \$3,188.00 were incurred from December 22, 2007  
20 through February 15, 2008 in the preparation of the Amended Judgment Pursuant to Stipulation,  
21 plaintiffs attempts to enforce compliance with the Amended Judgment, and in the preparation of  
22 this Request for Writ and Writ of Execution, which is enclosed for issuance.

23  
24 9. The total amount now due and owing by defendant to plaintiffs is as follows:

25	Principal Balance on Judgment	\$14,568.34
26	7% p/a interest (1/25/08-2/15/08)	\$58.67
27	Attorneys fees (11/22/07-2/15/08)	\$3,188.00
28	<b>TOTAL</b>	<b>\$17,815.01</b>

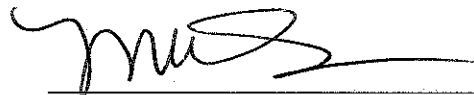
1 WHEREFORE, it is prayed that a Writ of Execution be promptly issued for \$17,815.01  
2 plus 7% per annum interest on the principal balance of \$14,568.34 (\$2.79 per diem beginning  
3 February 16, 2008) until satisfied, and that the Court retain jurisdiction over this matter.

4 10. To the best of my knowledge and belief, the defendant is not an infant or an  
5 incompetent person, nor is defendant in the military service of the United States.  
6

7 I declare under penalty of perjury that the foregoing is true of my own knowledge and if  
8 called upon I could competently testify thereto.

9 Dated: February 20, 2008

SALTZMAN & JOHNSON  
LAW CORPORATION



Michele R. Stafford  
Attorneys for Plaintiffs

13  
14  
15 ORDER

16 IT IS SO ORDERED.

17 Let a Writ of Execution be issued in favor of plaintiffs and against defendants for  
18 \$17,815.01 plus 7% per annum interest on the principal balance of \$14,568.34 (\$2.79 per diem  
19 beginning February 16, 2008) until satisfied. The Court shall retain jurisdiction over this matter.  
20

21  
22 Dated: \_\_\_\_\_

UNITED STATES DISTRICT COURT JUDGE